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September 17, 2008

Via Messenger

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FILED/ACCEPTED

Marlene H. Dortch, Secretary
Federal Communications Commission
c/o Natek, Inc.
236 Massachusetts Avenue, N.E., Suite 110
Washington, DC 20002

ORIGINAL

SEP 17 2008

Federal Communications Commission
Office of the Secretary

RE: *Ex Parte* Presentations
WC Docket No. 07-245

Dear Ms. Dortch:

This is to inform you of five *ex parte* presentations that were made on September 15 and 16, 2008.

The first was made to Nick Alexander, in the Office of Commissioner McDowell, on September 15, 2008.

The second was made to Scott Deutchman, in the Office of Commissioner Copps, on September 15, 2008.

The third was made to Scott Bergmann, in the Office of Commissioner Adelstein, on September 16, 2008.

The fourth was made to Greg Orlando, in the Office of Commissioner Tate, on September 16, 2008.

The fifth was made to Amy Bender, in the Office of Chairman Martin, on September 16, 2008.

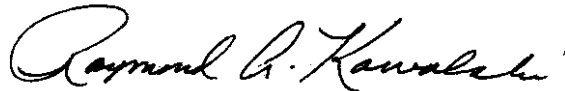
The presentations were made by Scott Liebel, Manager, Joint Use Assets, Ameren Services Company and Julius M. Griles, Manager, Delivery Design, Dominion Virginia Power. They were accompanied by undersigned counsel.

The presentations re-emphasized points made in the joint comments and reply comments filed in this proceeding by these electric utilities, as summarized on the attachment, especially these

utilities' strong belief that successful pole attachment policy must be based on an "infrastructure partnership" between pole owners and pole users. In addition, a six-minute video was played, which was intended to illustrate the impact on a utility's ability to climb and work on a utility pole when various types of attachments are present on the pole. Finally, the results of a recent survey published in *The Progressive Farmer* magazine, were discussed.

Copies of all of these materials are enclosed for the record.

Very truly yours,

A handwritten signature in cursive script, reading "Raymond A. Kowalski". The signature is written in dark ink and is positioned above the printed name.

Raymond A. Kowalski

Attachments

FCC WC Docket No. 07-245
Pole Attachments

“Broadband Requires an Infrastructure Partnership”

Presented by
Ameren Services Company (“Ameren”) and
Virginia Electric and Power Company (“Dominion Virginia Power”)

- Utility poles are **critical infrastructure** that supports primarily the physical plant of America’s vital electric and telephone utilities and, recently, attachments by broadband providers.
- Pole owners must grant access to their poles by qualified broadband providers, but only if attachments will not compromise **safety, reliability or engineering**. Ameren and Dominion have reasonable contract provisions to protect their infrastructure. Ameren and Dominion have produced a six-minute video (attached) that illustrates the basis for their contractual requirements.
- In 1996 Congress recognized that the time had come to scrap the pole attachment rental formula that had been created 20 years earlier to promote the growth of cable television, in favor of a formula that allocated a fairer share of the cost of the entire pole to all who used it. Ameren and Dominion support a one-rate approach for broadband attachments **which remains a cost-based formula**.
- In comments, Ameren and Dominion Virginia Power have proposed an **“infrastructure partnership”** concept. Electric utilities have no motive to compete with or impede the progress of broadband providers.
- FCC data support a **presumption that *all* attachments are used to offer high speed broadband Internet access**. Where this can be demonstrated not to be the case, there can be a carve-out from the “broadband formula” rate.

Presented by:

Scott Liebel, Manager, Joint Use Assets, Ameren Services Company
Julius M. (“Jay”) Griles, Manager, Delivery Design, Dominion Virginia Power

Outside Communications Counsel:

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Issues

	AGREE	DISAGREE	NOT SURE
The amount of taxes people pay does not match the services provided by the government.	81%	16%	4%
Infrastructure, such as roads and bridges, is often ignored or not repaired in a timely fashion.	81%	17%	2%
Drug abuse, such as meth, is a major problem.	76%	19%	5%
There needs to be increased access to health care.	73%	24%	4%
The quality of rural education needs to be improved.	72%	23%	5%
It is difficult for small local governments to pay for necessities.	67%	28%	6%
The rural crime rate is too high.	48%	43%	10%
Getting high-speed Internet service is extremely difficult or impossible.	36%	60%	4%

concerned about an assault on landowner rights. Most of it appears to be centered around the environment. At the top of your list is government regulations, land-use restrictions and environmental restrictions. Only 17% say landowners' rights are not deteriorating.

Sounding a loud alarm for the farmers and ranchers are production costs. Both in Texas near Rightmer and in Iowa near Grindle, agricultural land is valued at \$5,000 an acre and up. Rents are going up accordingly.

Farm Input Costs*

Fuel	84%
Taxes	52%
Fertilizer	46%
Feed	43%
Equipment	39%
Seed	32%
Regulatory	26%
Other	29%

*Total exceeds 100, as respondents were asked to choose all costs that concern them.

Combine the cost for that dirt with diesel and fertilizer—prices for which have quadrupled in only two or three years. That has farmers and ranchers juggling some very big dollars—not to mention risk.

Rightmer says he has sharply cut his costs. By shipping calves early, he has reduced feed costs that climbed more than 85% above his

calculation for profitability. He also has cut his fertilizer bill by 85%.

Grindle is watching his costs too, mainly by not buying new equipment. He rents most of his corn and soybean acres. In a competitive market, rent is a hard cost to

Internet access

What's your connection? The e-mailed survey finds Internet connections are much improved.	
Cable	38%
Dial Up	12%
DSL	42%
No Service	1%
Satellite	7%
Not Sure	1%

control. His fuel costs have doubled over the past year. His fertilizer prices have doubled, at least. But Grindle doesn't see this as a good time to cut back on yield-producing inputs.

"With the price of grain, this is a bad time to cheat on my fertility," he says. "I don't want to see my yields fall."

Count Grindle among the 45% answering the poll who believe they can make a good profit. But respondents are split. Forty-two percent believe the profit potential is "bad." Of this group, 15% say their profit potential is "very bad."

High-speed access to the net has been a longtime challenge for remote farming and ranching communities. As this was an e-mail survey, we can safely assume most of those who responded have access to the Internet (though we're not sure how 1% answered the survey without some access to the web).

Dial-up is fading as a connection mode in the country. Cable and DSL are now the most prominent ways you connect to the World Wide Web. Satellite service hooks 7% to the Internet. **E**



on the web

Take the survey, get complete results and more at about.dtnprogressivefarmer.com/zogby.